



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210

Box 145801

Salt Lake City, Utah 84114-5801

(801) 538-5291

801-359-3940 (Fax)

801-538-5319 (TDD)

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

August 28, 1996

CRR - P 074 976 523

Jerry North
Interstate Brick Company
9780 South 5200 West
West Jordan, Utah 84088

Re: Formal Surety Release of Large Mining Operation, Big Cottonwood Mine, M/035/003, Salt Lake County, Utah

Dear Mr. North:

On July 3, 1996, Division staff in the presence of Mr. Walt Plumb, landowner, inspected the Big Cottonwood Mine site, located in Section 23, T2S, R1E, Salt Lake County. The intent of this inspection was to determine if the revegetation performance standards had been achieved following final reclamation of the mine site (copy of inspection memo enclosed). The Division determined that the revegetation criteria had been met which would allow Interstate Brick Company to be eligible for a formal release from their reclamation surety agreement.

As you know, the form of reclamation surety for this mine site is a Board Contract between Interstate Brick Company (IBC) and the Board of Oil, Gas and Mining. On August 28, 1996, the Division made a presentation before the Board recommending that the Board Contract be dissolved, thereby releasing IBC from all continued reclamation obligations at the Big Cottonwood Mine. The Board concurred with the Division's recommendation. By this letter the Division hereby releases Interstate Brick Company from any further reclamation obligations associated with the approved permit for the Big Cottonwood mine site. The Division, as authorized by concurrence of the Board of Oil, Gas and Mining, hereby releases Interstate Brick Company from its Board Contract. Enclosed is the original Mined Lands Reclamation Contract dated, August 23, 1977, for your appropriate disposal.

We will now close and retire the Division's file for this large mine operation. If you have any questions or concerns regarding this action, please notify me, Wayne Hedberg or Lynn Kunzler of the Minerals Reclamation staff. Thank you for your cooperation in complying with the Utah Mined Land Reclamation Act. Best of luck in your future mining ventures.

Very truly yours,

James W. Carter
Director

jb

Enclosure: 7/3/96 inspection memo; Mined Land Reclamation Contract

cc: Ken Keller (fax: 272-1255) *-2363 Oakcrest Lane SLC 84121*

Walt Plumb, Landowner

Warren Reynolds, Salt Lake Planning & Zoning Commission, w/ 7/3/96 memo

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
BOARD OF OIL, GAS AND MINING
1588 West North Temple
Salt Lake City, Utah 84116

* MINED LANDS RECLAMATION CONTRACT *



THIS CONTRACT, made and entered into this 23rd day of August, 19 77, between Entrada Industres, Interstate Brick Div. a corporation duly authorized and existing under and by virtue of the laws of Utah as party of the first part, and hereinafter called the Operator, and the Board of Oil, Gas, and Mining, duly authorized and existing by virtue of the laws of the State of Utah, as party of the second part hereinafter called the Board.

WITNESSETH:

WHEREAS, the Operator is the owner and in possession of certain mining claims and/or leases hereinafter more particularly mentioned and described in Exhibit "A" attached hereto.

WHEREAS, the Operator did on the 28th day of January 19 77, file with the Division of Oil, Gas, and Mining, a "Notice of Intention to Commence Mining Operations" and a "Mining and Reclamation Plan" to secure authorization to engage, or continue to engage, in mining operations in the State of Utah, under the terms and provisions of the Mined Land Reclamation Act, Section 40-8, UCA, 1953;

WHEREAS, the Operator is able and willing to reclaim the above mentioned "lands affected" in accordance with the approved mining and reclamation plan, the Mined Land Reclamation Act and the rules and regulations adopted in accordance therewith.

WHEREAS, the Board has considered the factual information and recommendations provided by the staff by the Division of Oil, Gas, and Mining as to the magnitude, type and costs of the approved reclamation activities planned for the land affected.

WHEREAS, the Board is cognizant of the nature, extent, duration of operations, the financial status of the Operator and his capabilities of carrying out the planned work.

THEREFORE, for and in consideration of the mutual covenants of the parties by each to the other made and herein contained, the parties hereto agree as follows:

1. The Operator promises to reclaim the land affected in accordance with the approved Mining and Reclamation Plan, the Mined Land Reclamation Act, and the Rules and Regulations adopted in accordance therewith.
2. The Board, in lieu of the posting of a bond or other surety, accepts the personal guarantee of the Operator to reclaim the land affected.
3. The Board and Operator both agree that the Operator will not be obligated to expend a sum in excess of that required to complete the reclamation work outlined in the Mining and Reclamation Plan which was designed for the mining operation as submitted to the Division on the 28th day of January, 1977, and which has been estimated to cost \$ 13,571.00.

IN WITNESS WHEREOF, the parties on the first and second parts hereto have respectively set their hands and seals on the 23rd day of August, 19 77.

By:

Harold P. Cahoon
Harold P. Cahoon

Vice President & General Manager

ATTEST:

E. J. Johnson
Secretary

BOARD OF OIL, GAS, AND MINING

By:

Daniel Stewart
Chairman
I. DANIEL STEWART

Note: If the Operator is a corporation, the agreement should be executed by its duly authorized officer with the seal of the corporation affixed.